

**Remarks**

This Amendment is in response to the Office Action dated **April 18, 2007**.

Independent claims 17 and 21 have been amended to recite that the heating fluid is liquid. The application discloses heated water or oil as typical heating fluids at page 4, lines 29-32 and water, glycerol, mineral oil or silicone oil at page 7, lines 7-9. These are liquids. Further the application discloses that "those with relatively lower viscosities are preferred," (page 7, line 10) which a skilled person will understand to be directed to relative properties of liquids. Further the application contrasts the heating the parison by direct contact with the heating fluid with indirect transfer through the space between the mold cavity (page 7, lines 24 - page 8, line 4), a contrast that requires that the heating fluid be different from air. Consequently the skilled person clearly understands that the heated fluid employed in the inventive method may be a liquid. Therefore these amendments are clearly supported in the written description.

New claim 22 is supported at least at page 4 lines 29-32 and page 7, lines 7-9.

The specification has been amended at claim 3, lines 1-9 to recite the method as currently claimed in claim 17. No new matter has been added.

***Election/Restrictions***

Claims 1-16, directed to a mold have been withdrawn from consideration in view of the provisional election of method claims 17-21 in this application. Applicants' previous election of the method claims is confirmed. Claim 1 has been cancelled, claims 2-16 have amended to refer to a method and claims 2, 3, 9-13 have been further amended to depend from claim 17. All pending claims therefore are now directed to a method. Withdrawal of the restriction requirement as to claims 2-16 is therefore requested.

***Claim Rejections - 35 USC § 102***

Claims 17 and 20 have been rejected as anticipated under 35 USC§102(e) by Mahoney et al, US 6863856. Reconsideration is requested. Mahoney pertains to balloon molding processes that do not involve immersion of a mold in a liquid media as presently claimed. In the liquid media immersion method as presently defined in claim 17 the liquid media contacts the parison. This provides significant thermal transfer advantages as discussed for instance at page 4,

lines 29-32 and page 7, line 24- page 8, line 4. Withdrawal of the anticipation rejection on Mahoney is therefore respectfully requested.

Claims 17 and 20 have been rejected as anticipated by Leonhardt, US 5,522,961. Reconsideration is requested. Claim 17 recites that "the heated liquid fluid enters the mold cavity to directly contact the parison when the mold is immersed." This direct contact provides advantages as previously indicated. Leonhard pertains to a balloon molding process in which a mold is immersed into a bath of water, and the mold has holes 46. However the disclosure states that the holes 46 "provide for the escape of *air* when the mold is filled by the expanding workpiece." (Emphasis added.) Thus it is clear that the holes are not sized or channeled in a way that permits water to enter the cavity and contact the parison as recited in claim 17. Withdrawal of the anticipation rejection on Leonhardt is therefore respectfully requested.

***Claim Rejections - 35 USC § 103***

Claims 18 and 21 have been rejected for obviousness from Leonhardt in view of Gass-Erb, US 3,766,358. The rejection of claim 18 asserts that Leonhardt is relied upon for the aspects of claim 17 and that Gass Erb shows that it is known to carry out a method comprising agitating a heated fluid while an object is immersed therein. The rejection is traversed for at least the reason that Leonhardt does not meet the recitations of claim 17 as set forth above. Moreover, the applicant disagrees with the characterization of Gass-Erb. In Gass-Erb the immersed object is a heater that also performs the agitation, not some additional object analogous to a balloon mold. Thus there is nothing in Gass-Erb that is analogous to the claimed mold, and nothing that indicates that agitation should be performed "while the mold is immersed" as recited in both claims 18 and 21. At least for this additional reason the rejections of both claims 18 and 21 are traversed. Withdrawal of the obviousness rejection on Leonhardt in view of Gass-Erb is respectfully requested.

Claim 19 has been rejected for obviousness from Leonhardt in view of Garrett, US 6,073,540. The rejection asserts that Leonhardt is relied upon for the aspects of claim 17 and that Garrett shows that it is known to carry out a method including vibrating the article. The rejection is traversed for at least the reason that Leonhardt does not meet the recitations of claim 17 as set forth above. Furthermore, Garrett pertains to a method of heating food containers submerged or

partially submerged and running on a conveyer belt. A vibrator unit vibrates the pool of heat transfer liquid, the conveyer and the containers. The art is not analogous. The apparatus is not similar to a balloon molding apparatus and a heating process on a conveyor is not analogous to a balloon molding process. The references are not properly combined. The skilled person molding a medical device balloon would not look to a device such as disclosed in Garrett for guidance in modifying a balloon molding process. At least for this additional reason the rejection of claim 19 is traversed. Withdrawal of the obviousness rejection on Leonhardt in view of Garrett is respectfully requested.

Claims 18 and 21 have been rejected for obviousness from Mahoney in view of Gass-Erb. This rejection is traversed for at least the reason that Mahoney does not pertain to a molding process involving immersion in a liquid fluid as recited in claims 17 and 21. Moreover, as also discussed above the applicant disagrees with the characterization of Gass-Erb because the immersed object in Gass-Erb is a heater that also performs the agitation, not an object analogous to a balloon mold. There is nothing in Gass-Erb that indicates that agitation should be performed "while the mold is immersed" as recited in both claims 18 and 21. Withdrawal of the obviousness rejection on Mahoney in view of Gass-Erb is respectfully requested.

Claim 19 has been rejected for obviousness from Mahoney in view of Garrett. This rejection is traversed for at least the reason that Mahoney does not pertain to a molding process involving immersion in a liquid fluid, as previously discussed. Furthermore, Garrett and Mahoney are not properly combined. The skilled person molding a medical device balloon would not look to Garrett for guidance in modifying a balloon molding process for the reasons given above. Withdrawal of the obviousness rejection on Mahoney in view of Garrett is respectfully requested.

***Conclusion***

For the reasons given above the outstanding rejections are seen to have been overcome. The application is seen to be in condition for allowance. Early and favorable action thereon is respectfully requested.

Respectfully submitted,  
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